

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:  
BOBBY LESTER WAYNICK  
RONDA SUE WAYNICK  
P O BOX 11675  
MURFREESBORO, TN 37129  
SSN XXX-XX-2932      SSN XXX-XX-0466

CASE **16-07765-RM2-13**  
JUDGE RANDAL S MASHBURN  
12/29/2016

**NOTICE OF CONFIRMATION AND PLAN TERMS**

ON **12/28/2016** the debtor(s) Chapter 13 plan, as amended, was confirmed by order of **JUDGE RANDAL S MASHBURN**. This order provides an extension of the finality date to provide all parties in interest the opportunity to review the plan or its terms and seek relief from its term pursuant to Rule 9023, Federal Rules Bankruptcy. Any application for relief under Rule 9023 must be filed with the court on or before **01/22/2017**. Thereafter, the confirmed plan will be deemed final and binding on all parties pursuant to 11 U.S.C. §1327.

**B. WAYNICK to pay \$675.50 MONTHLY  
via TFS**

to the Trustee who shall disburse funds pursuant to the terms of the confirmed plan.

To the Court Clerk the sum of **\$235.00 [Class 1]** and **\$75.00 [Class 2]** for filing and noticing fees.

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The plan requires the Trustee to maintain ongoing mortgage payments as follows:

**There are no long term claims paid by the Trustee.**

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As of the date of this notice, the following notice of post petition fees, expenses, and charges has been filed:

<u>Creditor/Collateral</u>	<u>Claim Amount</u>	<u>Monthly Payment</u>	<u>Class</u>
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----- **NONE** -----

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The court has fixed a value on the collateral held by all secured creditors, which value shall be deemed the extent of the secured claim. Such creditors shall retain the lien on their collateral and shall be treated as follows:

<u>Creditor/collateral</u>	<u>Secured Claim</u>	<u>Interest</u>	<u>Monthly Payment</u>	<u>Class</u>
* CAPITAL ONE AUTO FINANCE 2011 KIA FORTE	\$7,233.63	3.75%	\$140.15	3
* FREEDOMROAD FINANCIAL 05 YAMAHA XVZ	\$2,343.38	3.75%	\$46.17	3
* REGENCY FINANCE COMPANY GRANDFATHER CLOCK MOWER EDGER TV CAMCORDER DVD COMPUTER FIREPLACE	\$1,500.00	5.00%	\$35.00	3

The Trustee will calculate post petition interest due, if any, on these claims as fixed by the plan, and will pay such interest along with the principal.

To creditors holding claims secured by a purchase money security interest in a motor vehicle incurred within 910 days preceding the petition or secured by a purchase money security interest in any other thing of value incurred in the 1 year period preceding the filing as follows:

<u>Creditor/Collateral</u>	<u>Interest</u>	<u>Claim Amt To Be Pd</u>	<u>Monthly Payment</u>	<u>Class</u>
* W S BADCOCK CORP (BEDROOM SET FRIDGE)	5.00%	\$2,087.70	\$43.00	3

Each creditor listed above shall retain its lien pursuant to 11 U.S.C. § 1325(a)(5)(b) until the earlier of (1) payment of the underlying debt determined under nonbankruptcy law or (2) discharge under 11 U.S.C. § 1328, at which time the lien shall terminate and be released by the claimholder.

To any creditor deemed to have accepted the plan (as designated by an \*), the Trustee shall pay the allowed claim as a secured claim under this paragraph only to the extent of the claim amount stated above. The portion of any such allowed claim that exceeds the claim amount stated above will be treated as an unsecured claim under paragraph 3(i).

To the debtors' attorney, CLARK AND WASHINGTON PC, the sum of of \$4,000.00 to be paid in full pro rata. [Class 4]

Total fee awarded is \$4,000.00 .

The plan treats some unsecured claims differently than others. The following claims to unsecured claimholders, in classes and paid in classes, sequentially as shown below:

<u>Creditor Name</u>	<u>Interest</u>	<u>Dividend</u>	<u>Claim</u>	<u>Class</u>
----- NONE -----				

The plan establishes a minimum dividend to general unsecured creditors, with timely claims but may establish a dividend to some creditors that differ from others. The following claims will be paid in the general unsecured class:

<u>Creditor Name</u>	<u>Interest</u>	<u>Dividend</u>	<u>Claim</u>	<u>Account</u>	<u>Class</u>
ATT	0.00%	20.00%	\$0.00	xxxxxxxx6649	5
CAPITAL ONE	0.00%	20.00%	\$0.00	xxxxxxxx9035	5
CAPITAL ONE AUTO FINANCE	0.00%	20.00%	\$0.00	xxxxxxxx1001	5
CARDWORKS CW NEXUS	0.00%	20.00%	\$0.00	xxxxxxxx7244	5
DISH NETWORK	0.00%	20.00%	\$0.00	xxxxxxxx	5
FINGERHUT	0.00%	20.00%	\$0.00	xxxxxxxx7811	5
FINGERHUT	0.00%	20.00%	\$0.00	xxxxxxxx8704	5
FIRST PREMIER BANK	0.00%	20.00%	\$0.00	xxxxxxxx1432	5
FIRST PREMIER BANK	0.00%	20.00%	\$0.00	xxxxxxxx3358	5
FIRST PREMIER BANK	0.00%	20.00%	\$0.00	xxxxxxxx2267	5
FIRST PREMIER BANK	0.00%	20.00%	\$0.00	xxxxxxxx1036	5
* LEE FLOYD AUTO SALES	0.00%	20.00%	\$7,072.11	xxxxxxxx	5
LEE FLOYD AUTO SALES	0.00%	20.00%	\$0.00	xxxxxxxx8797	5
* MARINER FINANCE LLC	0.00%	20.00%	\$4,029.93	xxxxxxxx0964	5
NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0914	5
NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0622	5
NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0119	5
NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0119	5
NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0811	5
NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0811	5
NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0917	5

NAVIENT	0.00%	20.00%	\$0.00	xxxxxxxx0917	5
* REGENCY FINANCE COMPANY	0.00%	20.00%	\$964.65	xxxxxxxx3861	5
SPRINT	0.00%	20.00%	\$0.00	xxxxxxxx4292	5
SYNCB AMAZON	0.00%	20.00%	\$0.00	xxxxxxxx5899	5
* USA FUNDS MCE2148	0.00%	20.00%	\$1,165.97	xxxxxxxx2932	5
* USA FUNDS MCE2148	0.00%	20.00%	\$24,159.86	xxxxxxxx2932	5
* USA FUNDS MCE2148	0.00%	20.00%	\$11,122.68	xxxxxxxx2932	5
VERIZON	0.00%	20.00%	\$0.00	xxxxxxxx	5

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 The following parties will receive future notices, but no distribution will be made to them under the confirmed plan:

AUTO MASTERS	DEPT OF ED NAVIENT	DEPT OF ED NAVIENT
DEPT OF ED NAVIENT	MID ATLANTIC FINANCE	US DEPARTMENT OF EDUCATION
US DEPT OF EDUCATION		

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 The plan surrenders the debtors interest in collateral to the creditors listed below. The automatic stay has been lifted to allow these creditors to repossess the collateral upon which they have liens. Unless the order confirming provides otherwise, no disbursements will be made on any deficiency to these creditors unless and until deficiency claims are filed. Creditors unable or unwilling to repossess such collateral should advise the trustee to treat the entire claim as unsecured.

**Surrender the collateral to creditor SANTANDER CONSUMER USA. (08 FORD RANGER SURRENDER)**

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**MARINER FINANCE LLC treated unsecured and liens avoided per 522(f). (VOID LIEN TV DVD RADIO ALARM CLOCK CAMERA CELL TABLET DESKTOP PRINTER SCANNER COPIER)**

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**Post-petition claims, allowed pursuant to 11 U.S.C. §1305, shall be paid in full pro rata but subordinated to the payment of pre-petition unsecured claims. [Class 6]**

**The debtors shall employ the TFS system to effect regularly pre-scheduled payments no less frequently than monthly and shall activate the TFS system within 14 days of this order. Debtors' counsel shall assist as necessary.**

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 Generally, any claim, proof of which is not filed before **03/22/2017**, shall be disallowed. Claims of government units, proofs of which are not filed before **04/26/2017**, shall be disallowed. Scheduled claims, proofs of which are not filed, or which claims are disallowed are subject to being discharged if the debtor(s) complete the plan, except as specifically provided by law.

The court has found that the Debtor has complied with the requirements of §521(a)(1)(B) and the case is not dismissed pursuant to §521(i).

Unsecured creditors shall receive their prorata portion of the Unsecured Pool that remains after satisfaction of all allowed priority and administrative claims, not to be less than **20.000%** of such claims. **[Class 5]**

The unsecured pool shall be increased by the "base" amount not needed to satisfy allowed secured, priority, and administrative claims (including the trustee's commission).

The plan establishes a minimum pool of funds to be paid to all unsecured creditors called the "unsecured pool". Nonpriority unsecured creditors holding allowed claims shall receive a pro rata share of the unsecured pool after allowed unsecured priority and administrative claims have been satisfied. The plan establishes the Unsecured Pool at **\$12,790.00**.

The plan sets a minimum pool of funds to be paid to the Trustee by the debtor(s) called a base. The debtor(s) must pay this base or allowed claims in full before a discharge may be entered. The base is fixed at **\$40,500.00**.

All property shall remain property of the estate and shall vest in the debtor only upon **discharge or the closing of the case, whichever occurs earlier**. The debtor shall be responsible for the preservation and protection - including insurance - of all property of the estate.

Please note that this Notice is only a summary of the plan as confirmed by the Court. You are cautioned to review the Court's order approving the plan, available on PACER at <http://ecf.tnmb.uscourts.gov>.

**/s/HENRY E HILDEBRAND, III**

CHAPTER 13 TRUSTEE

P O BOX 340019

NASHVILLE, TN 37203

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FAX: 615-242-3241

pleadings@ch13nsh.com

\* An asterisk denotes that a proof of claim has been filed for the listed creditor. No disbursements will be made on any claim pursuant to the plan unless an allowed proof of claim is filed.